

MINUTES OF REGULAR MEETING HELD JUNE 5, 2018

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, June 5, 2018 at 8:00 p.m.

Mayor Brindle made the following announcements:

“Prior to convening in regular session, there was an agenda session which was open to public and advertised.”

“The adequate notice of this meeting, as required by the Open Public Meetings Act, was provided by the posting, mailing and filing of the annual notice of regularly scheduled meetings of the Town Council on December 12, 2017. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, THE STAR LEDGER, and TAP INTO WESTFIELD and filed with the Clerk of the Town of Westfield.”

PRESENT: Mayor Brindle, Council Members Arena, Neylan, LoGrippo, Contract, Stokes, Mackey

ABSENT: Council Members Habgood and Dardia

INVOCATION AND FLAG SALUTE

Invocation was given by Councilman LoGrippo, followed by the flag salute

PRESENTATIONS

Town Administrator's Reports

- Provided an update of the tree planting program occurring downtown and announced that the program is expected to be completed within the next two (2) weeks;
- Provided an update of the bulky waste program and announced that the program would not be held in June because the Town received no bids for the service. Explained that the Town is currently negotiating with potential vendors and discussed alternative options that are available to residents in the meantime;
- Provided an update of the revaluation process and the timeframe for completion;
- Introduced the Town's new Public Information Officer, Kim Forde, and welcomed Ms. Forde to the municipal staff.

Town Council Announcement

- Councilman Arena stated that he was contacted by Westfield resident, Traci Gleeson, who lost her niece to opioid addiction in 2014. Ms. Gleeson's nephew, Brett Bramble, is participating in his second Walk Across America in an effort to raise awareness of the opioid epidemic. Announced that Mr. Bramble would be walking through Westfield, and residents interested in participating are invited to meet at Bovello's on Saturday, June 9, 2018 and walk with Mr. Bramble to Mindowaskin Park.

Mayor's Remarks

- Welcomed Kim Forde as the Town's new Public Information Officer. Feels the Town is fortunate to have someone of Ms. Forde's caliber and experience join the municipal staff. Also feels the Town is fortunate that Ms. Forde is a Westfield resident who cares deeply about Westfield;
- Stated that she had the pleasure of speaking to the preschoolers at Precious People to discuss what it means to be a community helper. In addition, she was able to kick off a whiffle ball tournament to benefit Sister Pat's Camps, a charity that provides a week-long camping experience to kids afflicted with cancer. Feels community turnout and team spirit were on "full display".
- Announced that she met with third graders at Jefferson Elementary School where they shared their ideas for improving the community. Feels they had great suggestions, which included providing more bike paths, a cleanup program at Tamaques Park, and improving parking in the downtown. Commended these students for their essays, which she feels were impressive;
- Announced that she hosted a group of sixth grade boys who have been in the same book club since they were in Washington Elementary School together. She provided them with a tour of the Municipal Building, which included Council Chambers, where they took turns banging the gavel. Also extended her thanks to Police Officers Savnick and Ostrander for taking the boys on a tour of the Police Department, and for soliciting a promise from them that they never again see the inside of a jail cell;
- Announced that she had the pleasure of kicking off the annual Greek Fest at Holy Trinity Greek Orthodox Church, which she feels had once again lived up to its reputation for amazing food, music, and generous hospitality;
- Congratulated the Greater Westfield Chamber of Commerce for the successful opening of the Westfield Farmer's Market in a new location at the North Avenue train station lot. Discussed new vendors that participated, including organic farms, a beekeeper, fish stand and coffee place. Stated that she heard from numerous vendors that the new location drew significantly more foot traffic, with many selling out of items. Encouraged residents to attend the market on Saturdays, and announced that parking is free on the south side parking lot of the train station;
- Stated that she officiated her first wedding ceremony on Friday night and congratulated the couple on their wedding. Also thanked the couple for allowing her the privilege of officiating. Feels it was one of her most significant responsibilities since taking office;
- Expressed her gratitude to the Martin Wallberg American Legion post #3 for sponsoring a memorable Memorial Day service and parade. Stated that when the names of the Westfield residents who perished in WWI were read, along with the tolling of the bells, it brought many to tears. Also stated that the ceremony was the most moving when Taps played in an orchestration that had never been done before. Thanked Dr. Ted Schlossberg

for his stirring musical tribute, and to the participation of the Westfield Police and Fire Departments, EMTs, and DPW for making the monuments look so beautiful;

- Lastly, discussed the wake and services attended by many for Detective Eric Lieberman, a twenty-seven (27) year Westfield Police Department veteran, who passed away unexpectedly. Feels the outpouring of support by Westfield residents as well as from surrounding communities brought great comfort to the Police Department. Also feels the service was a memorable tribute that was worthy of Detective Lieberman. Stated that thoughts continue to be with Detective Lieberman's wife and the two sons he left behind.

APPOINTMENTS

ADVERTISED HEARINGS

PENDING BUSINESS

BIDS

MINUTES

On a motion by Councilman LoGrippe and seconded by Councilman Arena, Council approved the Minutes of the Town Council Conference Session, Executive Session, and Regular Meeting held May 22, 2018.

PETITIONS AND COMMUNICATIONS

OPEN DISCUSSION BY CITIZENS

Mayor Brindle opened the public comments portion of the meeting and asked if there were any questions or comments.

Chelsea Krauss, 264 Prospect Street, discussed the Memorial Day weekend when weather was warm and mentioned that many downtown businesses had their doors open while air conditioning was running. Feels this is a waste of energy and suggested that the Town Council consider adopting regulations requiring that businesses close doors when air conditioning is operating.

Councilman Contract stated that New York City recently adopted regulations requiring that shops and restaurants keep front doors closed while air-conditioners and cooling systems are running.

Councilman Arena feels businesses want customers to know they are open for business and leave their doors open for this reason. Expressed concern with interfering with that practice.

Hearing no further comments, Mayor Brindle closed the public comment portion of the meeting.

BILLS AND CLAIMS

On motion by Councilwoman Neylan, and seconded by Councilman Stokes, bills and claims were adopted unanimously:

RESOLVED that the bills and claims in the amount of \$373,712.70 per the list submitted to the members of this Council by the Chief Financial Officer, and approved for payment by the Town Administrator be, and the same are hereby, approved and that payroll warrants previously issued by the Chief Financial Officer be ratified.

REPORTS OF STANDING COMMITTEES:

Finance Policy Committee

The Town Administrator announced that the resolution included on the agenda to amend the Town's Cash Management Plan would be deferred to the meeting of June 19, 2018.

The following resolutions, introduced by Councilwoman Neylan, Vice Chairman of the Finance Policy Committee, and seconded by Councilman Arena, were unanimously adopted.

Resolution No. 132

RESOLVED, that the Town Treasurer be authorized to refund the following fees to the following individuals:

<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Fee</u>
Garrick Stavrovich Edgewood Ave Westfield, NJ 07090	#195 / Pool	Refund/Pool Membership Family of 5 or More In-Town / Resident	\$470.00
Bianca Wright 771 Knollwood Terrace Westfield, NJ 07090	#195 / Pool	Refund/Pool Membership Family of 5 or More In-Town / Resident	\$470.00
Layana Borghese 145 Windsor Ave Westfield, NJ 07090	T05-600-071	Refund / Playground Isabella Borghese	\$125.00

Resolution No. 133

BE IT RESOLVED that the Chief Financial Officer be authorized to draw a warrant to the following persons for a refund due to a cancellation of the permit for the Farmer's Market:

<u>Name</u>	<u>Amount</u>
Patricia Caminos	\$150.00

Mail to:

Ono Bowls
Patricia Caminos
107 Quimby Street
Westfield, NJ 07090

Resolution No. 134

BE IT RESOLVED that the Chief Financial Officer be authorized to draw a warrant to the following persons for a refund due to a cancellation of the food handler training class on May 16, 2018:

<u>Name</u>	<u>Amount</u>
Roger Paradis	\$80.00

Mail to:

Westfield Creamery
Roger Paradis
258 E. Broad Street
Westfield, NJ 07090

Resolution No. 135

WHEREAS, the following applicants have posted monies to be held in escrow to cover expert advice and testimony in connection with Board of Adjustment and Planning Board applications on said property; and

WHEREAS, expert advice and testimony was given, and

WHEREAS, all bills for these applications have been submitted and paid; and

WHEREAS, the applicant has requested in writing to have the balance of escrow monies be released to them;

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is authorized to draw a check for the balance of the escrow monies as follows:

App #	Name	Address	G/L	Refund Balance
BOA 17-66	David & Sylvia Chandler	78 Tamaques Way	8-05-560-663	\$423.45
Return to:	David & Sylvia Chandler	78 Tamaques Way	Westfield NJ	07090

Resolution No. 136

WHEREAS, the County Board of Taxation is unable to certify the tax rate throughout the county in a timely fashion and the Municipal Tax Collector will be unable to mail the tax bills on a timely basis; and

WHEREAS, the Municipal Tax Collector, in consultation with the Municipal Chief Financial Officer, has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3 and they have signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield in the County of Union and the State of New Jersey on this 5th day of June, 2018, as follows:

1. The Municipal Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Town of Westfield for the third installment of 2018 taxes. The Tax Collector shall proceed and take such actions as permitted and required by P.L. 1994, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).
2. The entire estimated tax levy for 2018 is hereby set at \$173,676,105.49
3. In accordance with the law, the third installation of 2018 taxes shall not be subject to interest until the later of the end of the grace period, or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

<u>2018 CERTIFICATION</u>	
Municipal	\$27,975,396.02
School	\$101,933,988.00
Library	\$2,571,941.25
County	\$40,028,117.41
Open Space	<u>\$1,166,662.81</u>
Totals	\$173,676,105.49

Divided by the assessed value of \$1,868,094,590

= Tax rate of 9.297

General Ordinance No. 2105

Regarding the following ordinance, Councilwoman Neylan made the following announcement:

I hereby move that an ordinance entitled, GENERAL ORDINANCE NO. 2105 - AN ORDINANCE TO AMEND GENERAL ORDINANCE NO. 2073 ENTITLED - "AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD CHAPTER 2, "ADMINISTRATION," ARTICLE II, TOWN OFFICERS AND EMPLOYEES, DIVISION 3, PERSONNEL POSITIONS AND SALARY SCHEDULE," SEC. 2-12.28, "SCHEDULE."

Motion was seconded by Councilman Contract.

The ordinance was approved by the following vote of all present upon roll call as follows:

Yeas: Arena
Neylan
LoGrippe
Contract
Stokes
Mackey
Mayor Brindle

Nays:

Absent: Habgood
Dardia

Heretofore introduced, General Ordinance No. 2105 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 19th day of June 2018 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

The following resolutions, introduced by Councilwoman Mackey, Chairman of the Code Review & Town Property Committee, and seconded by Councilman Stokes, were unanimously adopted.

Resolution No. 138

WHEREAS, pursuant to Chapter 24 Article VII Section 24-47 of the Town Code the Town Council has authorized the licensing of Sidewalk Cafés, and

WHEREAS, the establishments listed below have made application as required by Sec. 24-48 of the Town Code.

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Westfield hereby approves the operation of sidewalk cafés for those establishments listed below:

Name

Brunella Portuguese Deli LLC

Location

615 South Avenue West

BE IT FURTHER RESOLVED that the Town Clerk shall not issue licenses unless the applicants have submitted a development plan and have met insurance and indemnification requirements as required by Chapter 24 of the Code of the Town of Westfield.

Resolution No. 139

BE IT RESOLVED that the following application for renewal of theater licenses be and the same is hereby approved:

Rialto Theater	Six Theaters
250 East Broad Street, 2 nd Fl	
Westfield, NJ 07090	

Resolution No. 140

RESOLVED that the following application for children's amusement devices be approved:

M&MJ Party Rental	Carnival	Bethel Baptist Church
137 North Avenue	June 9, 2018	539 Trinity Place
Plainfield, NJ 07060	127 Cacciola Place	Westfield, NJ 07090
Amazing Amusements	Annual End of Year Celebration	McKinley School
5 Kennedy Drive	June 13, 2018	500 First Street
Marlboro, NJ 07746	500 First Street	Westfield, NJ 07090
Seashore Amusements	Westfield Festifall	Jackie Sieb
11 Hendry Lane	September 23, 2018	11 Hendry Lane
Brick, NJ 08723	Westfield Train Station Lot	Brick, NJ 08723

Resolution No. 141

BE IT RESOLVED that application for the following liquor license renewals for the 2018-2019 licensing term be and hereby are granted, subject to full compliance with Alcoholic Beverage Law R.S. 33:1.1 et. seq.:

PLENARY RETAIL CONSUMPTION LICENSE

Prospect Associates, LLC	16 Prospect Street
t/a 16 Prospect Wine Bar and Bistro	
2020-33-015-010	
DU International, LLC	102 East Broad Street
t/a Akai Lounge	
2020-33-005-007	
Sweet Waters, Inc.	43 Elm Street
t/a Sweet Waters Steak House	
2020-33-022-005	

PLENARY RETAIL DISTRIBUTION LICENSE

Sunrise Shoprite Liquors, Inc.
t/a/ ShopRite Liquors of Westfield
2020-44-011-007

333 South Avenue East

Thakorji Corp.
t/a Peterson's Wines Unlimited
2020-44-012-004

1120 South Avenue West

CLUB LICENSE

Italian American Club
2020-31-021-001

505 Central Avenue

American Legion Incorporated
Martin Wallberg Post 3
2020-31-019-002

1003 North Avenue West

General Ordinance No. 2106

Regarding the following ordinance, Councilwoman Mackey made the following announcement:

I hereby move that an ordinance entitled, GENERAL ORDINANCE NO. 2106 – “AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER 9 (BUSINESS AND OCCUPATIONS GENERALLY) OF THE TOWN CODE OF THE TOWN OF WESTFIELD TO ENACT A NEW SECTION REGULATING AND ESTABLISHING CERTAIN REQUIREMENTS FOR SHORT-TERM RENTALS IN THE TOWN OF WESTFIELD.”

Motion was seconded by Councilman LoGrippe.

Councilwoman Neylan commended Councilwoman Mackey for her efforts regarding General Ordinance No. 2106. Discussed concerns expressed with the ordinance and explained that the ordinance could be amended in the future if necessary.

The ordinance was approved by the following vote of all present upon roll call as follows:

Yeas: Arena
Neylan
LoGrippe
Contract
Stokes
Mackey
Mayor Brindle

Nays:

Absent: Habgood
Dardia

Heretofore introduced, General Ordinance No. 2106 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 19th day of June 2018 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council

Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

Public Works Committee

Councilman Contract

- Discussed the Curb my Clutter Program that is available to residents and announced that additional information is available on the Town's website;
- Discussed the bulk waste program and the fact that it would not be occurring in June. Provided residents with information as to other options for the disposal of bulk items;
- Discussed changes in curbside recycling collection and discussed those items that would no longer be collected; and
- Announced that the Green Team's survey has concluded and that the results are available.

Town Administrator

- Discussed changes in the recycling market that have been occurring and recent changes that are now impacting curbside recycling. Announced that clear plastic bags and shredded paper are no longer accepted. Also announced that a list of items that are no longer being collected has been posted to the Town's website. Discussed how the changing market would impact contracts for this service.

Reports of Department Heads

Report of Tara Rowley, Town Clerk, showing fee collected in the amount of \$35,944.00 during the month of May 2018 was received, read, and ordered filed.

ADJOURNMENT

A motion to adjourn, made by Councilman LoGrippe and seconded by Councilman Contract at 8:33 p.m. was unanimously carried.

Respectfully submitted,

Tara Rowley, RMC
Town Clerk